

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONALD SATISH EMRIT, et al.,)

Plaintiffs,)

vs.)

Case No.: 2:14-cv-01760-GMN-PAL

SOCIAL SECURITY)
ADMINISTRATION,)

Defendant.)

ORDER

Pending before the Court for consideration is the Report and Recommendation (“R&R”) of the Honorable Peggy A. Leen, United States Magistrate Judge. (ECF No. 34). Plaintiffs Ronald Satish Emrit (“Emrit”) and Nicole Rocio Leal-Mendez (“Mendez”) (collectively, “Plaintiffs”) filed an Objection. (ECF No. 35). For the reasons discussed below, the Court will accept and adopt Magistrate Judge Leen’s Report and Recommendation in full.

I. BACKGROUND

This action was referred to Judge Leen pursuant to 28 U.S.C. § 636(b)(1)(B) and District of Nevada Local Rule IB 1-4. Accordingly, Judge Leen recommends that this Court enter an order granting Emrit’s Motion for Voluntary Dismissal (ECF No. 24) and denying Emrit’s Application to Proceed IFP (ECF No. 10). Moreover, Judge Leen recommends that this Court declare Plaintiffs to be vexatious litigants pursuant to 28 U.S.C. § 1651(a).

II. LEGAL STANDARD

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. §

636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions of the Report to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b).

III. DISCUSSION

The Court has reviewed Plaintiffs' Objection. (ECF No. 35). Plaintiffs argue that they "should not be labeled as 'vexatious filers' because of the proposition that their lawsuits are not frivolous, malicious, or non-meritorious." (*See* Objection at 3). The Court has reviewed *de novo* the entirety of the record upon which Judge Leen's Report relied, and the Report itself. Upon such review, the Court has determined that Judge Leen's findings are thoroughly supported by the record, and will accept the findings in full.

IV. CONCLUSION

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 34) is **ACCEPTED** and **ADOPTED** in full.

IT IS FURTHER ORDERED that Plaintiff Ronald Satish Emrit's Motion for Voluntary Dismissal (ECF No. 24) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff Ronald Satish Emrit's Application to Proceed IFP (ECF No. 10) is **DENIED**.

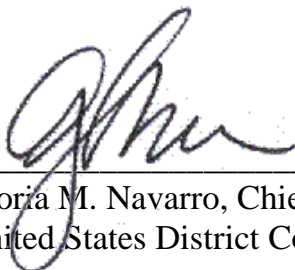
IT IS FURTHER ORDERED that Plaintiffs Ronald Satish Emrit and Nicole Rocio Leal-Mendez are vexatious litigants pursuant to 28 U.S.C. § 1651(a), and are **ENJOINED** and **PROHIBITED** from filing any complaint, petition, or other document in this court without first obtaining leave of this court. Accordingly, if Plaintiffs intend to file any papers with the court they must first seek leave of the Chief District Judge of this

1 court by filing an application. The application must be supported by a declaration of
2 plaintiff stating: (1) that the matters asserted in the new complaint or papers have never
3 been raised and disposed of on the merits by any court; (2) that the claim or claims are
4 not frivolous or made in bad faith; and (3) that he or she has conducted a reasonable
5 investigation of the facts and such investigation supports the claim or claims.

6 **IT IS FURTHER ORDERED** that the Clerk of Court is authorized to reject and
7 refuse to file, and/or discard any new complaint, petition, document on a closed case, or
8 any other document submitted in violation of this Order.

9 **IT IS FURTHER ORDERED** that the Clerk of the Court shall send a copy of
10 this order to each federal circuit court of appeals and federal district court in which
11 Plaintiffs have pending cases: the Sixth Circuit Court of Appeals (Case No. 14-06484);
12 Ninth Circuit Court of Appeals (Case No. 14-17253); Eleventh Circuit Court of Appeals
13 (Case No. 14-15139); District of Rhode Island (Case No. 1:2014-cv-00106); Northern
14 District of Texas (Case No. 3:2014-cv-03844); Eastern District of Virginia (Case No.
15 1:2014-cv-01612); Middle District of Louisiana (Case No. 3:2014-cv-00608); District for
16 the District of Columbia (Case No. 1:2014-cv-02083); Middle District of North Carolina
17 (Case No. 1:2015-cv-00374); District of Utah (Case No. 2:2015-cv-00366); District of
18 Arizona (Case No. 2:2015-cv-00936); and Eastern District of Kentucky (Case No.
19 5:2015-cv-00155).

20 **DATED** this 29th day of July, 2015.

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Gloria M. Navarro, Chief Judge
United States District Court